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In re Application of US Patent Application No. 10/088,629  
For Patent For: "TREATING ALLERGIC AND INFLAMMATORY CONDITIONS"  
Filing Date: 03/19/02  
Our Ref.: AL01071K  
Applicant: Heithoff

Transmitted herewith are:

- Fax Cover Sheet - 1 Page
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FEB 09 2005

Attorney Docket No.: AL01071K

Application No.: 10/088,629

Filing Date: 03/19/02

First Named Inventor: Heithoff

PTO/SB/87 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031  
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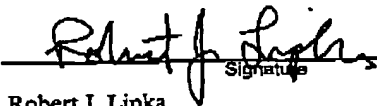
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PTO/SB/31 (05-03)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>AL01071K</b>					
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>February 9, 2005</u> .  Signature _____  Typed or printed name <u>Robert J. Lipka</u>		In re Application of <b>Heithoff</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number <b>10/088,629</b></td> <td style="padding: 2px;">Filed <b>3/19/02</b></td> </tr> </table> For Treating <b>Allergic and Inflammatory Conditions</b>  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Art Unit <b>1614</b></td> <td style="padding: 2px;">Examiner <b>Spivack</b></td> </tr> </table>		Application Number <b>10/088,629</b>	Filed <b>3/19/02</b>	Art Unit <b>1614</b>	Examiner <b>Spivack</b>
Application Number <b>10/088,629</b>	Filed <b>3/19/02</b>						
Art Unit <b>1614</b>	Examiner <b>Spivack</b>						
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.							
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ <u>500.00</u>					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____					
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I am the		 _____ Signature					
<input type="checkbox"/> applicant/inventor.		<u>Robert J. Lipka</u> Typed or printed name					
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>908-298-5056</u> Telephone number					
<input type="checkbox"/> attorney or agent of record.		_____ Date					
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>42,807</u>		<u>February 9, 2005</u>					
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.							
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